

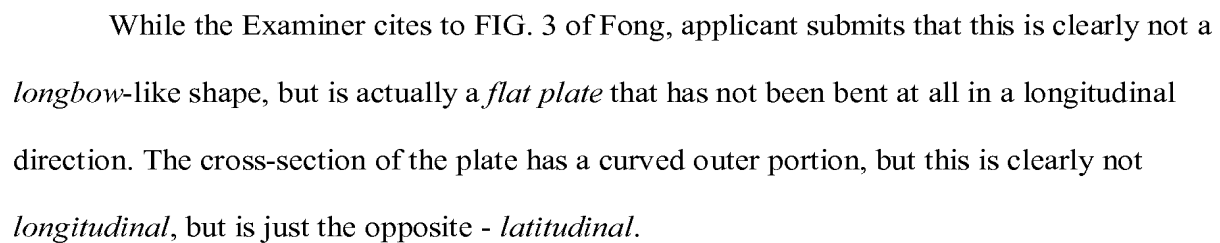
REMARKS

Claims 1-6 are all the claims pending in the application. In view of the following Remarks, applicant respectfully requests withdrawal of the rejections and objections, and allowance of the claims.

Applicant thanks the Examiner for the indication of the allowance of claims 2, 5 and 6, and the indication of allowability of claim 3. Applicant further submits that claims 1 and 4 are also allowable for at least the reasons discussed below.

Claims 1 and 4 are rejected based on the Examiner's proposed combination of Fong and Kondo. For at least the reasons discussed below, applicant respectfully requests withdrawal of the rejections.

Applicant respectfully submits that the combination of Fong and Kondo does not disclose or suggest bending a plate member in a longitudinal direction thereof approximately like a bow, as required by claims 1 and 4. As shown in applicant FIG. 1b, a bent shape like a *long bow* is provided.



Thus, applicant respectfully submits that the proposed combination of references fails to disclose or suggest *a shoehorn having a plate member bent in a longitudinal direction like a long bow*, as recited in independent claims 1 and 4. For at least this reason, applicant respectfully requests withdrawal of the rejections and allowance of the claims.

Additionally, the Examiner agrees that Fong does not disclose an elastic body for patting a human body, which is configured to be *removably mounted to a portion of the backscratcher and the shoehorn portion of the shoehorn*. The Examiner proposes to combine Kondo with Fong,

and argues that Kondo discloses an elastic body 14 (rubber) that is removably mounted to a dandruff moving device.

The Examiner does not appear to have explained *how* the proposed combination of references teaches that such an elastic body is to be attached so that it can be mounted to the backscratcher portion or the shoehorn portion. It is noted that Kondo does not have a shape that would permit *removable mounting* of an elastic body at both the pocket brush section and the shoehorn section. Moreover, the pocket brush of Fong and the dandruff removing device of Kondo do not have a function of patting a human body, but are actually directed to brushing hair. Therefore, applicant respectfully submits that the Examiner's proposed combination fails to disclose or suggest *an elastic body for patting a human body* which can be *removably* mounted to the backscratcher as well as the shoehorn part of the portable shoehorn, as required by claims 1 and 4.

Further, as the pocket brush section of Fong is covered with bristles, it is not possible to removably mount an elastic body for patting a human body to the pocket brush section of Fong. In other words, the pocket brush of Fong physically blocks the removable mounting of an elastic body thereon. At the backscratcher portion, there is no mechanism to which the elastic body can removably be attached. For at least this reason, applicant respectfully submits that the proposed combination of references is improper.

For at least the above reasons, applicant respectfully submits that the Examiner's proposed combination of references teaches or suggests the features recited in independent claims 1 and 4.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/535,178

Attorney Docket No.: Q85474

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 9, 2009

Respectfully submitted,
/Mainak H. Mehta/
Mainak H. Mehta
Registration No. 46,924